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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1992

Addendum

HOLY SEE

[2 March 1994]

TABLE OF CONTENTS

	Paragraphs	Page
Introduction	1 - 3	3
I. AFFIRMATION OF THE RIGHTS OF THE CHILD IN THE TEACHINGS OF THE HOLY SEE	4 - 17	3
A. Dignity of the child	4	3
B. The Church places the rights and well-being of the child in the context of the family	5 - 6	4
C. Right to life	7 - 8	5
D. Right to education	9 - 10	5
E. Right to freedom of religion	11	6
F. The Holy See and the Convention	12 - 16	7
G. Statements by the Holy See in favour of the Convention on the Rights of the Child	17	9

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CONTENTS (continued)

		Paragraphs	Page
II.	ACTIVITY OF THE HOLY SEE ON BEHALF OF CHILDREN	18 - 43	10
	A. Holy See and Church structures dealing with children	19 - 23	10
	B. Implementation of the Convention	24 - 43	12
III.	ACTIVITIES OF THE PONTIFICAL COUNCIL FOR THE FAMILY FOR THE PROTECTION OF THE RIGHTS OF THE CHILD	44 - 59	15
	A. Meeting on the rights of the child (Rome, 18-20 June 1992)	45 - 46	15
	B. International meeting on the sexual exploitation of children through prostitution and pornography (Bangkok, 9-11 September 1992)	47 - 50	16
	C. International meeting on the family and child labour (Manila, 1-4 July 1993)	51 - 53	17
	D. Meeting of experts on drug abuse as it affects children (Rome, 20-22 June 1991)	54 - 56	17
	E. Meeting on natural methods of regulating fertility (Rome, 9-11 December 1992)	57 - 59	17
IV.	CONCLUSION	60 - 61	18
List of annexed documents*			19

* Available for consultation in the Centre for Human Rights.

INTRODUCTION

1. The Holy See wishes to draw the attention of the Committee on the Rights of the Child to its singular nature within the international community. As the highest organ of government of the Catholic Church, the Holy See is recognized as a sovereign subject of international law. It is nevertheless distinguished by its particular nature, which is essentially of a universal religious and moral character. Similarly, its jurisdiction over a territory, known as the Vatican City State, serves solely to provide a basis for its autonomy and to guarantee the free exercise of its spiritual mission. The presence of the Holy See in the international organizations, beginning with the United Nations, and its accession to international conventions such as the Convention on the Rights of the Child, which it was among the first to ratify, are prompted by the same reasons.

2. In this connection, we would like to refer to the words of Pope John Paul II before the United Nations General Assembly on 2 October 1979, concerning the bond that exists between the Holy See and the United Nations: "The existence of this bond, which is held in high esteem by the Holy See, rests on the sovereignty with which the Apostolic See has been endowed for many centuries. The territorial extent of that sovereignty is limited to the small State of Vatican City, but the sovereignty itself is warranted by the need of the papacy to exercise its mission in full freedom, and to be able to deal with any interlocutor, whether a government or an international organization, without dependence on other sovereignties. Of course the nature and aims of the spiritual mission of the Apostolic See and the Church make their participation in the tasks and activities of the United Nations Organization very different from that of the States, which are communities in the political and temporal sense."

3. For this reason, the report submitted by the Holy See cannot be structured in the way established by the Committee on the Rights of the Child in document CRC/C/5 of 30 October 1991. We shall, however, attempt to follow its general lines, in particular in part III of this report.

I. AFFIRMATION OF THE RIGHTS OF THE CHILD IN THE TEACHINGS OF THE HOLY SEE

A. Dignity of the child (art. 3 of the Convention)

4. The Holy See and the Catholic Church have never ceased to affirm the importance they attach to recognizing the inherent dignity of the child, in his or her capacity as a human being, which is the source of children's rights and society's duties towards children. The following two texts illustrate this:

> "In the family, which is a community of persons, special attention must be devoted to the children, by developing a profound esteem for their personal dignity, and a great respect and generous concern for their rights. This is true for every child, but it becomes all the more urgent the smaller the child is and the more it is in need of everything, when it is sick, suffering or handicapped.

> By fostering and exercising a tender and strong concern for every child that comes into this world, the Church fulfils a fundamental mission: for she is called upon to reveal and put forward anew in history the example and the commandment of Christ the Lord, who placed the child at the heart of the Kingdom of God: 'Let the children come to me, and do not hinder them; for to such belongs the kingdom of heaven'. (Pope John Paul II, Apostolic Exhortation Familiaris Consortio, 22 November 1981, N.26, in annex 1).
>
> "... I wish to express the joy that we all find in children, the springtime of life, the anticipation of the future history of each of our present earthly homelands. No country on earth, no political system can think of its own future otherwise than through the image of these new generations that will receive from their parents the manifold heritage of values, duties and aspirations of the nation to which they belong and of the whole human family. Concern for the child, even before birth, from the first moment of conception and then throughout the years of infancy and youth, is the primary and fundamental test of the relationship of one human being to another.
>
> And so, what better wish can I express for every nation and the whole of mankind, and for all the children of the world than a better future in which respect for human rights will become a complete reality throughout the third millennium, which is drawing near" (Pope John Paul II, address to the General Assembly of the United Nations, 2 October 1979).

B. The Church places the rights and well-being of the child in the context of the family (Preambular paras. 5 and 6; arts. 5, 9, 10, 11, 16, 18 (1-2), 19, 20, 21, 25, 27 (4), 39)

5. As the Apostolic Exhortation "Familiaris Consortio" explains, the Church believes that children's rights cannot be seen outside of the context of the family, the first and most vital unit of society. For that reason, protection of children's rights cannot become fully effective unless the family and its rights are fully respected by the legal systems of States and the international community.

6. In order to enable the family fully to play its role in society, particularly with regard to children, the Bishop's Synod, meeting in Rome in 1980 to discuss the topic, "The role of the Christian family in the modern world", asked the Pope to promulgate a "Charter of the Rights of the Family". The Charter, dated 22 October 1983 (annex 2), states in preambular paragraph A: "The rights of the person, even though they are expressed as rights of the individual, have a fundamental social dimension which finds an innate and vital expression in the family"; and in preambular paragraph D: "The family, a natural society, exists prior to the State or any other community, and possesses inherent rights which are inalienable". Preambular paragraph F adds that "The family is the place where different generations come together and help one another to grow in human wisdom and to harmonize the rights of individuals with other demands of social life".

C. Right to life (preambular para. 7; arts. 6, 23, 24, 26, 27 (1-3))

7. The Church's teaching on the right to life is widely known and has remained unchanged throughout history: "human life is sacred, since from its very inception it reveals the creating hand of God" (Pope John XXIII, Encyclical Mater et Magistra, 15 May 1961, part III). "The human being is entitled to such rights in every phase of development, from conception until natural death; and in every condition, whether healthy or sick, whole or disabled, rich or poor" (Apolostic Exhortation Christifideles Laici, 30 December 1988, N.38).

8. Article 4 of "Charter of the Rights of the Family" spells out the different dimensions of the right to life, as it relates to children.

"Human life must be respected and protected absolutely from the moment of conception.

(a) Abortion is a direct violation of the fundamental right to life of the human being.

(b) Respect of the dignity of the human being excludes all experimental manipulation or exploitation of the human embryo.

(c) All interventions on the genetic heritage of the human person that are not aimed at correcting anomalies constitute a violation of the right to bodily integrity and contradict the good of the family.

(d) Children, both before and after birth, have the right to special protection and assistance, as do their mothers during pregnancy and for a reasonable period of time after childbirth.

(e) All children, whether born in or out of wedlock, enjoy the same right to social protection, with a view to their integral personal development.

(f) Orphans or children who are deprived of the assistance of their parents or guardians must receive particular protection on the part of society. The State, with regard to foster-care or adoption, must provide legislation which assists suitable families to welcome into their home children who are in need of permanent or temporary care. This legislation must, at the same time, respect the natural rights of the parents.

(g) Children who are handicapped have the right to find in the home and the school an environment suitable to their human development."

D. Right to education (arts. 28, 29 and 31 of the Convention)

9. The Catholic Church's conception of education has been set forth in numerous Holy See documents, which state that education cannot be decided a priori and imposed on children, but must be based on the child's own situation, the result of his specific personal characteristics, inclinations and potentialities. In this connection, the Vatican II Declaration on Christian Education, of 28 October 1965 states:

"All men of whatever race, condition or age, in virtue of their dignity as human persons, have an inalienable right to education. This education should be suitable to the particular destiny of the individuals, adapted to their ability, sex and national cultural traditions, and should be conducive to fraternal relations with other nations in order to promote true unity and peace in the world. True education is directed towards the formation of the human person in view of his final end and the good of that society to which he belongs and in the duties of which he will, as an adult, have a share. (N.1)"

10. Article 5 of the "Charter on the Rights of the Family" states that parents have the original, primary and inalienable right to educate their children. This article develops the different dimensions of this right/duty of parents:

"(a) Parents have the right to educate their children in conformity with their moral and religious convictions, taking into account the cultural traditions of the family which favour the good and the dignity of the child; they should also receive from society the necessary aid and assistance to perform their education role properly.

(b) Parents have the right to choose freely schools or other means necessary to educate their children in keeping with their convictions. Public authorities must ensure that public subsidies are so allocated that parents are truly free to exercise this right without incurring unjust burdens. Parents should not have to sustain, directly or indirectly, extra charges which would deny or unjustly limit the exercise of this freedom.

(c) Parents have the right to ensure that their children are not compelled to attend classes which are not in agreement with their own moral and religious convictions. In particular, sex education is a basic right of the parents and must always be carried out under their close supervision, whether at home or in educational centres chosen and controlled by them.

(d) The rights of parents are violated when a compulsory system of education is imposed by the State from which all religious formation is excluded.

(e) The primary right of parents to educate their children must be upheld in all forms of collaboration between parents, teachers and school authorities, and particularly in forms of participation designed to give citizens a voice in the functioning of schools and in the formulation and implementation of educational policies.

(f) The family has the right to expect that the means of social communication will be positive instruments for the building up of society, and will reinforce the fundamental values of the family. At the same time the family has the right to be adequately protected, especially with regard to its youngest members, from the negative effects and misuse of the mass media."

E. Right to freedom of religion (arts. 14 and 15 of the Convention)

11. Church doctrine on freedom of religion was proclaimed in the "Declaration on Religious Liberty" adopted by Vatican II on 7 December 1965. It states

that "religious freedom is based on the very dignity of the human person as known through the revealed word of God and by reason itself. This right of the human person to religious freedom must be given such recognition in the constitutional order of society as will make it a civil right" (N.2). "This freedom is the foundation for all other freedoms" and "is the condition and basis for the genuine dignity of the human being" (N.13). "Violation of this freedom is a blatant injustice that undermines what is authentically human" (N.14).

Naturally, this freedom concerns children as well as adults, but for children the role of the parents becomes crucial, for they "have the right to decide in accordance with their own religious beliefs the form of religious upbringing which is to be given to their children" (N. 5). Therefore, "The civil authority must ... recognize the right of parents to choose with genuine freedom schools or other means of education. Parents should not be subjected directly or indirectly to unjust burdens because of this freedom of choice. Furthermore, the rights of parents are violated if their children are compelled to attend classes which are not in agreement with the religious beliefs of the parents or if there is but a single compulsory system of education from which all religious instruction is excluded" (N.5).

F. The Holy See and the Convention

12. The Holy See has supported the international community's efforts better to define the rights of the child, and before acceding to the Convention on the Rights of the Child on 20 April 1990, it participated actively in the travaux preparatoires for that instrument.

13. In the words of H.E. Mgr. Renato Martino, Permanent Observer for the Holy See to the United Nations, spoken at a press conference given on the occasion of the Holy See's deposit of its instrument of accession, in New York,

> "The Holy See appreciates the long and arduous efforts that led to the Convention on the Rights of the Child and has noted the positive contributions that the Convention can provide for many aspects of children's wellbeing. However, the text of this Convention is a minimal basis for reaching an agreement, and therefore contains areas with which the parties are not completely satisfied (...) In order to avoid any further delay in this long process, and in view of the fact that the text adopted will help protect children's rights, the Holy See has approved the final text, although with reservations" (L'Osservatore Romano, weekly French-language edition, No. 20, 15 May 1990, p.4).

14. For that reason, the Holy See, in accordance with the provisions of article 51 of the Convention, submitted a declaration and three reservations when it acceded to the Convention.

15. The declaration reaffirms a position maintained by the Holy See throughout the drafting of the Convention i.e. that the Convention "represents an enactment of principles previously adopted by the United Nations and, once effective as a ratified instrument, will safeguard the rights of the child before as well as after birth, as expressly affirmed in the Declaration of the

Rights of the Child (General Assembly resolution 1386 (XIV) of 20 November 1959) and restated in the ninth preambular paragraph of the Convention" (ibid.). In addition, "the Holy See, in acceding to this Convention, does not intend to prescind in any way from its specific mission which is of a religious and moral character" (ibid).

16. The meaning of the Holy See's reservations to the Convention can easily be understood in the light of the foregoing:

(a) Reservation (a): "The Holy See, in conformity with the dispositions of article 51, [ratifies] the Convention on the Rights of the Child with the following reservations:

(a) that it interprets the phrase family planning, education and services in article 24 (2) to mean only those methods of family planning which it considers morally acceptable, that is, the natural methods of family planning". The position of the Holy See on "family planning, education and services" (art. 24 (2) (f)) is guided by the Catholic Church's conception of the transmission of human life, as explained in the Encyclical Humanae Vitae (1968) and the Apostolic Exhortation Familiaris Consortio (1981). The Church recommends responsible planning of family size, when parents take decisions relating to procreation for sound reasons and when they use natural methods of fertility regulation. It also would like this point of view to be transmitted through education, and it is opposed to contraception, sterilization and abortion;

(b) Reservation (b): "That it interprets the articles of the Convention in a way which safeguards the primary and inalienable rights of parents, in particular in so far as these rights concern education (arts. 13 and 28), religion (art. 14), association with others (art. 15) and privacy (art. 16)." It is obvious that children's rights must be protected in cases where it is proved that abuses have been committed within the family. However, under normal circumstances, the civilian authorities must not intervene, because of the "primary and inalienable rights of parents", in particular in all matters relating to education, religion, association with others and privacy:

(i) Some parents are concerned at the fact that articles 13 and 28 of the Convention, which deal with education, do not sufficiently protect parents' rights against State control, despite the clarifications contained in article 29 (2). More specifically, some parents wish to educate their children according to their own religion, in religious schools or at home;

(ii) Some parents have expressed concern at the implementation of articles 14, on religion, 15, on association with others and 16, on privacy. They might imply, in some cases, that children would have the right to make certain choices that might be against their own interests and the integrity of family life and values. In order for articles 14, 15 and 16 not to be used to enable children to join certain religious sects, to associate with corrupt individuals and to live a life of vice, they must be interpreted in the light of the rights/duties of parents and the family. This

interpretation is in conformity with that of the Human Rights Committee in its General Comment No. 22 (48) on article 18 of the International Covenant on Civil and Political Rights (CCPR/C/21/Rev.1/Add.4);

(iii) A serious study should be conducted of the problem of implementing specific articles of the Convention in certain social and political situations. It is true that some safeguards of the rights of parents and the family have been included in the Convention, but they need to be explained and clarified, in order to guarantee the rights and well-being of children without undermining the rights of their parents and the well-being of their families;

(c) Reservation (c) concerns the implementation of the Convention in the specific context of the Vatican City State: "That the application of the Convention be compatible in practice with the particular nature of the Vatican City State and of the sources of its objective law (art. 1, Law of 7 June 1929, N. 11) and, in consideration of its limited extent, with its legislation in matters of citizenship, access and residence."

G. Statements by the Holy See in favour of the Convention

17. The Holy See has repeatedly made statements for the defence and promotion of the Convention on the Rights of the Child. Particular mention should be made of the following as the most specific positions taken:

(a) Message by Pope John Paul II on the occasion of the World Summit for Children, on 29 September 1990 (annex 3);

(b) Address by Pope John Paul II at the conclusion of the International Conference on the problems of the child, sponsored by the Pontifical Council for Pastoral Assistance to Health Care Workers, on 20 November 1993 (annex 4): the Pope made a solemn appeal for universal ratification of the Convention;

(c) Message of Pope John Paul II for the celebration of the World Day of Peace on 1 January 1994, "The Family Creates the Peace of the Human Family" (annex 5);

(d) Statement by H.E. Cardinal Agostino Casaroli, representative of the Holy See to the World Summit for Children, on 30 September 1990 (annex 6);

(e) Statement by H.E. Cardinal Alfonso Lopez Trujillo, President of the Pontifical Council for the Family, to the First World Congress on Family Law and Children's Rights, Sydney, 4 to 9 July 1993 (annex 7);

(f) H.E. Mgr. Renato Martino, Permanent Observer for the Holy See to the United Nations, has made several statements on the Convention, in particular at the meeting on the rights of the child organized by the Pontifical Council for the Family, in Rome, from 18 to 20 June 1992 (annex 8).

These statements indicate the importance the Church attaches to the promotion of the Convention for improving the observance of the rights it proclaims. They emphasize in particular the right to life and the role of the family.

II. ACTIVITY OF THE HOLY SEE ON BEHALF OF CHILDREN

18. The Church's activity on behalf of children has been a constant in the history of mankind. In adapting to the circumstances of each period, the Church has endeavoured to meet the religious, spiritual, moral, cultural and material needs of children. It is impossible to give an exhaustive account of these activities, they are carried out by persons desirous of imitating Jesus Christ's special predilection for children. The Holy See still today encourages and supports a very extensive network of institutions dedicated to the welfare of children.

A. Holy See and Church structures dealing with children

19. First, mention should be made of the Pope's personal actions during encounters, pastoral journeys, audiences, etc. In addition, the Pope habitually entrusts the coordination and direction of the Church's action on behalf of children to a number of bodies in the Holy See:

(a) Pontifical Council for the Family, under Cardinal Alfonso Lopez Trujillo, is responsible for dealing with all questions concerning children;

(b) Congregation for Catholic Education, under Cardinal Pio Laghi, is concerned with education issues;

(c) Pontifical Council for Lay Persons, under Cardinal Eduardo Pironio, deals with relations with the International Catholic Organizations (ICO), some of which are concerned exclusively with children;

(d) Pontifical Council for Pastoral Assistance to Health Care Workers, under Cardinal Fiorenzo Angelini, is devoted to health issues. The health of children is one of its main concerns, as may be seen from the theme selected for its Eighth annual Conference, held in November 1993: "The child and the future of society". The various aspects of children's problems were discussed: medical and paramedical problems, problems with regard to pastoral assistance and social and health problems, as well as their philosophical, anthropological, legal, moral and religious implications. Although the records have not yet been published, the list of statements and their speakers is available; they include eminent specialists, several Nobel Prizewinners and the Directors-General of WHO and UNICEF (annex 9).

20. Pontifical Missionary Society of the Holy Childhood, founded 150 years ago, is concerned with rallying Catholic children to come to the aid of poor children throughout the world, without distinction as to race, religion or sex. This international organization is unique in so far as it mobilizes children themselves to help other children. Millions of young Catholics thus become aware of the needs of their less fortunate brothers and sisters and also help them materially. In 1991, they were able with US$ 13,210,000 to

implement projects for the survival, protection and development of other children. The Pontifical Society was honoured by UNESCO in May 1993, on the occasion of International Literacy Day (annex 10).

21. Certain international Catholic organizations devote their efforts exclusively to the service of children:

(a) Particular mention may be made of the International Catholic Child Bureau (ICCCB) which has its headquarters at Geneva and is in consultative status with ECOSOC and UNICEF. As stated in its triennial report for 1990-1992 (annex 11), ICCB promotes a large number of initiatives (assistance, training, research and development and communications to help children, particularly the most deprived). It has embarked on a major consciousness-raising effort vis-à-vis, international and national bodies, in particular to promote the implementation of the Convention on the Rights of the Child;

(b) International Movement of Apostolate of Children (IMAC), which has its headquarters in Paris and is in consultative status with ECOSOC, UNICEF and ILO, was set up 30 years ago for the purpose of coordinating the numerous movements for the evangelization of children. Its aim is to support the training, human development and Christian faith of all children.

22. Various bodies within the structure of the Catholic Church are actively involved in meeting the needs of children:

(a) The Episcopal Conferences are grouped regionally, enabling them to coordinate some of their activities at continent level. They generally have a specialized children's branch, as is the case, for example, of the children's and young people's department of the Latin American Episcopal Council (CELAM), which recently launched a children's pastoral programme for Latin America (annex 12);

(b) The Episcopal Conferences, which coordinate the Church's action at country level, have children's departments and episcopal commissions which work with the evangelization and religious teaching, health assistance and education movements and with the organs of the Catholic children's press. These diversified activities at diocese and parish level involve thousands of professionals and volunteers. Particular mention should be made of the numerous religious congregations which specialize in a specific aspect of assistance to and promotion of children and young people - education, health, handicapped children, etc.

23. This activity on behalf of children by the Holy See and the Church is a contribution to the observance and implementation of the rights of the child as defined in the Convention. In order to illustrate this activity, this report will follow the guidelines adopted by the Committee on the Rights of the Child in document CRC/C/5.

B. Implementation of the Convention

General principles

24. In its teaching and in its action, the Church stresses the inherent dignity of the child, from which derive the absolute right to life, survival and development, non-discrimination and respect. These principles are clearly asserted in the pontifical documents already mentioned, and serve as guidelines for the programmes implemented by the Catholic organizations. It would be superfluous to mention the Holy See's action on behalf of life from the moment of conception. It may be noted that many children's movements have as their aim the overall development of the child including the religious, spiritual and moral dimensions, and the implementation of his rights; this may be illustrated by the guidelines which serve as a basis for the International Movement of Apostolate of Children (IMAC), namely, that (a) the child is an individual; (b) the child is capable of acting, transforming and evangelizing; (c) the Movement's teaching methods and methodology should be based on these capabilities inherent in children.

25. The method used by the Pontifical Missionary Society of the Holy Childhood is based on the conviction that children themselves should take part in their own development and manifest solidarity with their fellows.

The family

26. This report has already illustrated the importance given to the family by the Church and the link between the rights of the child and those of the family; this explains why its action is directed at the protection and promotion of the family and its values. This is particularly relevant in the preparation for marriage which young people receive. In addition, in order to palliate family shortcomings, the Church has set up a large number of institutions which provide children with the family environment they need for their development.

27. It should also be remembered that the civil rights and freedoms of children as set out in the Convention cannot be considered in isolation from the family. Cardinal Angelo Sodano, Secretary of State, recalled this in his message to the World Forum of Non-Governmental Organizations held in preparation for the International Year of the Family on the subject of "promoting the family for the well-being of individuals and society" (Valetta, Malta, 28 November - 2 December 1993, annex 13).

Health and welfare

28. It is impossible to depict the scope of the Church's activities on behalf of children's health, which are conducted largely through a network of 21,757 health institutions, mainly in developing countries, as a contribution to State efforts in this area. The Church provides special care for children and mothers in 5,000 hospitals and 14,000 clinics.

29. At the Seventh International Conference of the Pontifical Council for Pastoral Assistance to Health Care Workers, on the theme of disabled persons

in society, Cardinal Edouard Gagnon gave a very well documented lecture on the role and presence of the Church in relation to the family and the handicapped child (annex 14): a great many institutions devote themselves to physically and mentally handicapped children.

30. Various initiatives have been taken in recent years by the Holy See, either directly or in cooperation with Catholic agencies, to assist child, victims of the Chernobyl nuclear accident. Several hundred were admitted to the Holy See's hospitals in Italy and, on the initiative of Catholic charitable organizations, several thousand more were taken in by families in Eurcpe.

31. The care of children who are victims of AIDs has become a priority in numerous Catholic hospitals. For example, the Nsambya Hospital in Kampala, Uganda, has launched a large-scale medical research project for mothers and children infected with the HIV virus. This project is financed by contributions from North America, through the "Path to Peace Foundation".

Education

32. The whole of the Church's action can be said to be directed at the education of the child as a person, in all his dimensions. The Church considers that its own work of religious training is an essential contribution to the proper education of children. The intention of the Church institutions (schools, bible teaching centres, various movements, marriage preparation centres, etc.,) is to provide an education adapted to the real needs of the child at the various stages of his physical, intellectual and moral development, by endeavouring to apply appropriate educational methods which will, in particular, develop the child's sense of responsibility.

33. Education is primarily a family responsibility, for which the Church provides support and assistance.

34. There are numerous training centres and 160,898 Catholic schools, attended, on 1 January 1991, by 40,975,865 pupils (see the detailed statistics in annex 15). These institutions are the responsibility of the Bishops and are often run by religious congregations.

35. The male and female religious congregations which devote themselves first and foremost to education are very numerous. The best known are the Selesian brothers and sisters, the Jesuits, the Marian Brothers etc. There are, for example, the Brothers of the Christian Schools, who were received by the Pope on 14 May 1993 on the occasion of their general Chapter: 7,800 brothers, members of this Congregation, are at the service of 850,000 young people in 82 countries. They received the Noma prize, awarded by UNESCO in 1990, on the occasion of International Literacy Day (see Bulletin de l'Institut des Fréres des Ecoles Chrétiennes, June 1991, on literacy, and April 1993, on the Brothers of the Christian Schools in Africa, in annex 16).

36. The Church also makes considerable efforts in informal education and training, in the context of the parish and children's and young people's

movements, particularly through recreational and cultural activities. In addition, some 10,000 centres specializing in the education or re-education of children operate under the auspices of the Church.

Special measures to protect children

37. The Holy See, the Bishops and the Catholic organizations have been mobilized with regard to particularly serious and alarming situations concerning children:

38. Sexually-exploited children. In a statement to the Executive Council of the World Tourism Organization, Pope John Paul II said that he wished to reiterate the words of some Asian bishops who had expressed their horror at the degrading practices of sex tourism. Young people, both boys and girls, were lured into that industry, in which they were treated as mere objects. Like his audience he could hear the voices of thousands of children who had been abused and robbed of their physical and moral dignity asking for the protection due to them under international agreements and demanded by the conscience of mankind.

39. The Pontifical Council for the Family organized a meeting of experts on child prostitution, in Bangkok, from 9 to 11 September 1992. This was an occasion for taking stock of the question of the sexual exploitation of minors, particularly in Asia and Latin America, and the many initiatives which the churches in those countries had taken to help them. In particular, there was the participation of the Church in the international campaign against sex tourism, led by ECPAT (End Child Prostitution in Asian Tourism). ICCB, in collaboration with Caritas Internationalis, has also set up a world programme on the sexual exploitation of children ("Children at risk, Child victims of sexual exploitation and children with AIDS", in annex 17).

40. Street children. Many initiatives have also been taken by local churches with the encouragement of the Holy See and the support of international Catholic organizations, such as the ICCB or Caritas Internationalis, to help street children. In its volume on "Street children, Problems or Persons?", published by ICCB in 1992, the author has put together a very wide-ranging experience of more than 10 years with street children (annex 18). Examples of the many local experiences of assistance to street children are those of Father François Lefort in Mauritania; the Undugu Society of Kenya founded in 1973, by Father Arnold Grol; the work undertaken since 1972 by the Adorers of the Blood of Christ in Colombia in response to the challenge represented by the marginalization of young girls in their country; the Fountain of Life Centre at Pattaya (Thailand), inaugurated in 1988 by the Sisters of the Good Shepherd, to support sexually exploited children in their transition towards another lifestyle; and the "Nanban" Centre, set up at Madurai, in southern India, by the Brothers of the Congregation of Saint John the Baptist for street children and working children. The "Le Nid" Movement operates assistance teams as part of the ICAR Project (Intervention Contact auprès des Adolescents de la Rue) (annex 19).

41. Children forced to work. The international meeting on the family and child labour, organized in Manila (Philippines) from 1 to 4 July 1993 by the Pontifical Council for the Family examined the labour situation of children

and the Church's response in various parts of the world (annex 20). Father Pierre Tritz, S.J., founded the Educational Research and Development Assistance (ERDA) Foundation in Manila in 1974, in order to help school rejects obtain vocational training (annex 21).

42. The Church also provides special care to children who are drug addicts, prisoners or refugees.

43. Children and war. The Holy See and the local churches are particularly concerned by the situation of children who are the first victims of armed conflicts, children who are mutilated, displaced or refugees, orphans and children used as soldiers. This subject was brought up by the Pope and the Bishops in the context of the conflicts in the former Yugoslavia and in several African countries (Liberia). Initiatives taken on behalf of such children include orphanages and special schools for the reintegration of child soldiers. At the International Conference on Children on 18 November 1993, Cardinal Roger Etchegaray, President of the Pontifical Council "Cor Unum" and the Pontifical Council for Justice and Peace, gave moving accounts of what he had seen during his missions throughout the world. With reference to children forcibly enrolled in armies in conflict, he said that, according to the principles contained in article 38 of the United Nations Convention on the Rights of the Child, children who had not attained the age of 15 years could not take a direct part in hostilities; that was a particularly odious form of servitude. Such children were often subjected to cruel treatment or savage rites intended to harden them for fighting. He had in mind a country which did not hesitate to make use of children by dispatching them into mine fields in order to clear a path for the soldiers who were to follow them (annex 22).

III. ACTIVITIES OF THE PONTIFICAL COUNCIL FOR THE FAMILY FOR THE PROTECTION OF THE RIGHTS OF THE CHILD

44. In view of the fact that the Holy See considers that the rights of the child are inseparable from the rights of the family, it is the Pontifical Council for the Family which is most directly concerned with the question of the implementation of the Convention on the Rights of the Child. The President of the Council, His Eminence, Cardinal Alfonso Lopez Trujillo, has therefore organized five international expert meetings since 1991 to deal with special problems relating to respect for the rights of the child.

A. Meeting on the rights of the child (Rome, 18-20 June 1992)

45. The meeting was chaired by Cardinal Lopez Trujillo, who after reading out a message from Pope John Paul II (annex 23), recalled the importance of the solidity of the family for the protection of children; the work of the meeting covered six topics each presented by a different speaker: the central position of children in the Church's social doctrine; the action of the International Catholic Child Bureau in the present international context; the history of the rights of the child since antiquity and the role of the Church; legal aspects of the rights of the child in Europe and the specific problems encountered by the Christian view vis-à-vis modern positive law on the subject of the definition of the child, particularly in relation to the affirmation of the right to life from the moment of conception and the definition of the family; evangelization and children; the inception of the Convention on the

Rights of the Child and the contribution of the Holy See (His Eminence, Monsignor Renato Martino); the situation of children in Brazil and Austria.

46. The records of this meeting will be published and sent to the national conferences of bishops and to agencies involved in the protection of children and the promotion of their rights.

B. International meeting on the sexual exploitation of children through prostitution and pornography (Bangkok, 9-11 September 1992)

47. A large number of organizations concerned with these problems took part: Pontifical Council for the Pastoral Care of Migrants and Itinerant People, Pontifical Missionary Society of the Holy Childhood, UNICEF, United Nations (ESCAP), ECPAT, RAAP (Religious Alliance against Pornography), Caritas project (Toronto), PROVIVE (Venezuela), PROVIDA (Mexico), and representatives of Germany, India, Indonesia, the Philippines, Singapore, Spain, Thailand, etc.

48. Under the chairmanship of Cardinal Lopez Trujillo, the speakers described the situation in the various countries, initiatives to combat the phenomenon, pastoral action already carried out and what could still be achieved. His Eminence, Mgr. Renato Martino, spoke about the prostitution of children in the context of the Convention on the Rights of the Child.

49. A number of problems occupied the attention of participants: sex tourism, which degrades the tourist industry and constitutes exploitation of third world children by the developed countries; organizations of paedophiles: in order to comply with article 34 of the Convention, the age of consent should be established in accordance with the definition of the child in article 1 and measures should be taken to prevent corrupt persons from misusing the provisions of articles 15 and 16 concerning children's right to freedom of association and privacy; child pornography: the Pontifical Council for the Family is working on the question with the ecumenical association RAAP; the effects of pornography on children: the corruption of children ranges from pornography to abuse of the mass media, particularly by means of films containing scenes of explicit sex and violence, thus violating article 34 of the Convention.

50. A Final Declaration was adopted for general distribution. After defining the nature and characteristics of this "contemporary form of slavery", it sets out a number of guidelines for those who wish to combat this evil and concludes by saying: "The sexual exploitation of children is a grave crime against the truth of the human person. Each person is the image of God, the child of God. Each life is a precious gift of God. In each face shines the great dignity of the human person. Children, who are the most vulnerable members of society, must be guaranteed enjoyment of all the rights which appertain to human persons. They must be loved, protected and respected in a special way. Every abuse against their dignity is a crime against humanity and against the future of the human family. The children of the world trapped in prostitution, pornography and sexual exploitation cry for help. The Lord calls His people to action. Deliberating, resolving and acting together, we pledge to respond" (annex 24).

C. International meeting on the family and child labour (Manila, 1-4 July 1993)

51. Experts and members of national organizations concerned with this specific problem took part, including representatives of UNICEF, ILO, ICCB, IMAC, and World Movement of Christian Workers (WMCW).

52. Under the chairmanship of Cardinal Lopez Trujillo, the discussions began with statements on child labour in the context of the world economic situation, on child labour and social legislation, and on ILO's work to abolish child labour, and with reports on child labour in each continent.

53. A Final Declaration was adopted; following a description of the situation, it proposed courses of action for the gradual reduction of child labour. The declaration called on States and international organizations to liberate children from this injustice, emphasizing that the problem would not be solved until it was confronted within the family itself, which must be given adequate means to live on (annex 25).

D. Meeting of experts on drug abuse as it affects children (Rome, 20-22 June 1991)

54. Under the chairmanship of Cardinal Lopez Trujillo, experts and representatives of Catholic organizations involved in the work of drug rehabilitation considered the phenomenon of drug abuse and its consequences for the individual, the family and society.

55. The participants were of the opinion that the roots of the problem had to do with the rights and wellbeing of children. The main cause of drug abuse was to be found in the shortcomings of family upbringing, which prevented children from attaining a degree of maturity enabling them to come to terms with themselves, with God, with those around them and with their environment.

56. The conclusions of the work of the meeting and guidelines to help to solve the problem have been compiled by the Pontifical Council for the Family in the volume From Despair to Hope: Family and Drug Addiction (annex 26).

E. Meeting on natural methods of regulating fertility (Rome, 9-11 December 1992)

57. The wellbeing of children was one of the basic topics of this meeting which studied the latest developments in the natural methods of regulating fertility. WHO was represented by Doctor Earle Wilson (Task Force on Methods for the Natural Regulation of Fertility, Special Programme of Research, Development and Research Training in Human Reproduction).

58. In the Final Declaration, the participants asserted that "the natural methods promote a positive attitude to the child and maintain reverence for human life at all stages of development" (annex 27).

59. A number of questions affecting the well-being of children were discussed in the course of the meeting:

(a) Health and human rights: Participants asserted that "The health of mothers and infants is furthered through spacing childbirth in a natural way which harms neither the mother nor her baby". They observed that certain contraceptive methods and substances might harm the child by damaging the health of the mother or even endangering her life. Adolescents were also in danger and their rights were violated when contraceptives were supplied to them without consent and without information as to their true effects and side effects;

(b) Breast-feeding: Participants supported breast-feeding for the good of the family, the child and the mother and as a way of spacing childbirths and encouraged public policy which would enable mothers to breast-feed their children. The experts stressed the nutritional value of breast-feeding, in accordance with article 24.2 (e) of the Convention;

(c) Moral problems: Children might suffer when their morality and that of their family were affected by an attitude with regard to contraceptives and methods which might lead to promiscuity and sexual exploitation, which in turn contributed to the higher incidence of sexually-transmitted diseases and teenage pregnancies. Respect for the moral dimension was an essential aspect of the best interests of the child (art. 3) and the child's welfare (art. 36);

(d) Family planning clinics: Clinics, particularly when located near places where children worked or studied, represented a serious obstacle to the protection of the rights of children (and their parents) since they indiscriminately promoted contraception and provided access to abortion;

(e) Sex education unlinked to the teaching of values: Without the transmission of values, sex education was liable to lead children to premature and irresponsible sexual activity. In addition, this form of sexual information violated the rights of parents. Pope John Paul II expressed concern on this issue in the Apostolic Exhortation Familiaris Consortio (N. 37).

IV. CONCLUSION

60. In his message to the World Summit on Children on 22 September 1990, Pope John Paul II said: "The Holy See's prompt accession to the Convention on the Rights of the Child ... accords with the Catholic Church's bi-millenary tradition of service to those in material or spiritual need, especially the weaker members of the human family, among whom children have always received special attention. In the Child of Bethlehem, Christians contemplate the uniqueness, the dignity and the need for love of every child. In the example and teaching of her Founder, the Church perceives a mandate to devote special care to the needs of children; indeed, in the Christian view, our treatment of children becomes a measure of our fidelity to the Lord himself."

61. This is why the Church's dearest wish is to create an environment to promote the integral development of children and the observance of their rights so that their psycho-social, cultural, moral, spiritual and religious needs will be taken into account along with their intellectual and physical needs. An even deeper aspiration of the Church is that the child himself should be considered and loved for what he is, in accordance with his inherent dignity, which makes him the subject of these rights.

LIST OF ANNEXED DOCUMENTS

- Annex 1: Apostolic exhortation "Familiaris consortio", 22 November 1981.

- Annex 2: Charter of the Rights of the Family, 22 October 1983.

- Annex 3: Message from Pope John Paul II to the World Summit for Children, 29 September 1990 to the World Summit for Children, 29 September 1990 (L'Osservatore Romano, in French edition, N. 41, 9 October 1990).

- Annex 4: Address by Pope John Paul II to the Eighth International Conference on the Problems of the Child, organized by the Pontifical Council for Pastoral Assistance to Health Care Workers, 20 November 1993 (L'Osservatore Romano, in French, N. 48, 30 November 1993).

- Annex 5: Message from Pope John Paul II in celebration of the World Day of Peace, 1 January 1994, "The Family Creates the Peace of the Human Family."

- Annex 6: Statement by H.E. Cardinal Agostino Casaroli, Secretary of State, representative of the Holy See to the World Summit for Children, 30 September 1990 (L'Osservatore Romano, in French, N. 41, 9 October 1990).

- Annex 7: Statement by H.E. Cardinal Alfonso Lopez Trujillo, President of the Pontifical Council for the Family, to The First World Congress on Family Law and Children's Rights, Sydney, 4-9 July 1993 (L'Osservatore Romano, in French, N. 30, 27 July 1993).

- Annex 8: Statement by H.E. Mgr. Renato Martino, Permanent Observer of the Holy See to the United Nations, on the Convention on the Rights of the Child at the Meeting on the Rights of the Child, organized by the Pontifical Council for the Family, Rome, 18-20 June 1992.

- Annex 9: Programme of the Eighth International Conference, "Puer natus est nobis, The Child is the Future of Society", organized by the Pontifical Council for Pastoral Assistance to Health Care Workers, 18-20 November 1993.

- Annex 10: Pontifical Missionary Society of the Holy Childhood: "L'Enfance Missionaire, une organisation au service de l'alphabétisation des enfants du monde depuis 150 ans", Presentation to UNESCO, 1993.

- Annex 11: Rapport trisannuel 1990-1991-1992 of the International Catholic Child Bureau.

- Annex 12: "Pastoral de la Infancia", Latin American Episcopal Council, CELAM, Bogotá, February 1993.

- Annex 13: Message from H.E. Cardinal Angelo Sodano, Secretary of State, to the World Forum of NGOs held in preparation for the International Year of the Family on the theme "Promoting the family for the well-being of the Individual and Society", Valetta, Malta, 28 November-2 December 1993 (L'Osservatore Romano, 2 December 1993).

- Annex 14: Statement by H.E. Cardinal Edouard Gagnon to the Seventh International Conference organized in November 1992 by the Pontifical Council for Pastoral Assistance to Health Care Workers, "Présence et rôle de l'Eglise auprès de la famille de l'enfant handicapé" ("Dolentium Hominum", N. 22, Année VIII, 1993, n. 1, pp. 136-139).

- Annex 15: Some statistics on Catholic schools throughout the world.

- Annex 16: "Alphabétisation et promotion de la culture", "Les Frères des Ecoles Chrétiennes en Afrique", Bulletin de l'Institut des Frères des Ecoles Chrétiennes, N. 234, June 1991 and N. 238, April 1993.

- Annex 17: "Children at Risk - Children Victims of Sexual Exploitation and children with AIDS", Report of a Think Tank organized by the International Catholic Child Bureau and Caritas Internationalis, Bangkok, 21-23 November 1992.

- Annex 18: Stefan Vanistendael, "Street children: Problems or Persons?", ICCB Series, Geneva, 1992.

- Annex 19: Eyewitness accounts of experiences of assisting street children and child victims of prostitution in "Children Worldwide," ICCB, Vol. 19, n. 2/1992.

- Annex 20: International meeting on the family and child labour, organized from 1-4 July 1993, in Manila, by the Pontifical Council for the Family; statements on "Children and Work in Colombia", "Family and Child Labour in Mexico", "The Family and Child Labour in Peru", "Children's Work in Africa", "Child Labour in India", "The Family and Child Labour in the Philippines", "Family and Child Labour in Thailand".

- Annex 21: Fr Pierre Tritz, S.J., "ERDA: a new hope for the underprivileged children", and Report for the Pilot Project on "Child Scavengers in Metro Manila" (International meeting on the family and child labour, Manila, 1-4 July 1993).

- Annex 22: Statement by H.E. Cardinal Roger Etchegaray, President of the Pontifical Council for Justice and Peace, at the International conference on children, 18 November 1993: "Children, culture of peace and culture of war".

- Annex 23: Message from Pope John Paul II to H.E. Cardinal Alfonso Lopez Trujillo, President of the Pontifical Council for the Family, on the occasion of the Meeting on the rights of the Child, Rome, 18-20 June 1992.

- Annex 24: Final declaration of the International Summit on the Sexual Exploitation of Children Through Prostitution and Pornography, Bangkok, 9-11 September 1992.

- Annex 25: Final declaration of the international meeting on the family and child labour, Manila, 1-4 July 1993.

- Annex 26: Pontifical Council for the Family, "From Despair to Hope: Family and Drug Addiction", Libreria Editrice Vaticana, 00120 Città del Vaticano.

- Annex 27: Final Declaration of the summit meeting on natural methods of regulating fertility, Rome, 9-11 December 1992.